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5 mstafford@sjlawcorp.com

6 Attorneys for Plaintiffs

7  
8 UNITED STATES DISTRICT COURT

9 FOR THE NORTHERN DISTRICT OF CALIFORNIA

10  
11 GIL CROSTHWAITE, et al., as Trustees of the  
12 OPERATING ENGINEERS HEALTH AND  
WELFARE TRUST FUND FOR NORTHERN  
13 CALIFORNIA, et al.

14 Plaintiffs,

15 v.

16 DUN ENGINEERING SERVICES, INC. and  
MARK THOMAS JONES,

17 Defendants.  
18

Case No.: C07-4995 JL

**PROOF OF SERVICE ON SUMMONS**

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**PROOF OF SERVICE ON SUMMONS**

**Case No.: C07-4995 JL**

ATTORNEY NAME Murial B. Kaplan, Esq. (SBN 124607) Michele R. Stafford, Esq. (SBN 172509) Saltzman & Johnson Law Corporation 120 Howard Street, Suite 520 San Francisco, CA 94105		TELEPHONE NO. (415) 882-7900	
ATTORNEY FOR <b>PLAINTIFFS</b>			
COURT <b>UNITED STATES DISTRICT COURT NORTHERN DISTRICT OF CALIFORNIA</b>			
SHORT NAME OF CASE Operating Engineers Health & Welfare Trust Fund for Northern California, et al. -v- Dun Engineering Services, Inc. and Mark Thomas Jones, Individually			
<b>PROOF OF SERVICE</b>	DATE:	TIME:	DEPT/DIV: CASE NUMBER: <b>C 07 4995 JL</b>

I am and was on the dates herein mentioned over the age of 18 years and not a party to this action:

I served the: Summons, Complaint, Dispute Resolution Procedures in the Northern District of California, Order Setting Initial Case Management Conference and ADR Deadlines, Standing Orders, Instructions for Completion of ADR Forms Regarding Selection of an ADR Process, Stipulation and [Proposed Order] Selecting ADR Process, Notice of Need for ADR Phone Conference, ADR Certification by Parties and Counsel, Notice of Assignment of Case to a United States Magistrate Judge, Consent to Proceed before a United States Magistrate Judge, Declination to Proceed before a Magistrate Judge and Public Notice-Magistrate Judge, ECF Registration Information Handout, and Welcome to the United States District Court, San Francisco.

**Name: Dun Engineering Services, Inc.**

**Date of Delivery: 10/2/2007**

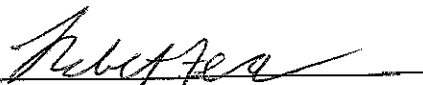
**Time of Delivery: 9:15 a.m.**

**Place of Service: 5200 North Palm Avenue, Suite 401  
Fresno, CA 93704**

**Manner of Service: Personal Service - by handing documents to Matt Quall, agent for service of process for Dun Engineering Services, Inc.**

ADOPTED JUDICIAL COUNCIL FORM, RULE 982 (A) (23) I declare under penalty of perjury that the foregoing is true and correct and that this declaration was executed on October 4th, 2007 in San Francisco, CA.

Theresa's Messenger Service  
P.O. Box 190543  
San Francisco, CA 94119  
(415) 760-2188

Signature:   
Name: Robert Ferguson  
Title: RPS, Fresno County#S200316

**PROOF OF SERVICE**

ATTORNEY NAME Muriel B. Kaplan, Esq. (SBN 124607) Michele R. Stafford, Esq. (SBN 172509) Saltzman & Johnson Law Corporation 120 Howard Street, Suite 520 San Francisco, CA 94105		TELEPHONE NO. (415) 882-7900	
ATTORNEY FOR <b>PLAINTIFFS</b>			
COURT <b>UNITED STATES DISTRICT COURT NORTHERN DISTRICT OF CALIFORNIA</b>			
SHORT NAME OF CASE Operating Engineers Health & Welfare Trust Fund for Northern California, et al. -v- Dun Engineering Services, Inc. and Mark Thomas Jones, Individually			
<b>PROOF OF SERVICE</b>	DATE:	TIME:	DEPT/DIV: CASE NUMBER: C 07 4995 JL

I am and was on the dates herein mentioned over the age of 18 years and not a party to this action:

I served the: Summons, Complaint, Dispute Resolution Procedures in the Northern District of California, Order Setting Initial Case Management Conference and ADR Deadlines, Standing Orders, Instructions for Completion of ADR Forms Regarding Selection of an ADR Process, Stipulation and [Proposed Order] Selecting ADR Process, Notice of Need for ADR Phone Conference, ADR Certification by Parties and Counsel, Notice of Assignment of Case to a United States Magistrate Judge, Consent to Proceed before a United States Magistrate Judge, Declination to Proceed before a Magistrate Judge and Public Notice-Magistrate Judge, ECF Registration Information Handout, and Welcome to the United States District Court, San Francisco.

**Name: Mark Thomas Jones**

**Date of Delivery: 10/3/2007**


**Time of Delivery: 1:00 p.m.**

**Place of Service: 4721 W. Jennifer #7  
Fresno, CA 93722**

**Manner of Service: Substituted Service** – by handing documents to Marissa Brizal, a person at least 18 years of age apparently in charge at the office or usual place of business of the person to be served. I thereafter mailed copies of the documents by first class mail, postage prepaid, to Mark Thomas Jones at the address above. A declaration regarding diligence is attached.

ADOPTED JUDICIAL COUNCIL FORM, RULE 982 (A) (23) I declare under penalty of perjury that the foregoing is true and correct and that this declaration was executed on October 5th, 2007 in San Francisco, CA.

Theresa's Messenger Service  
P.O. Box 190543  
San Francisco, CA 94119  
(415) 760-2188

Signature:   
Name: Robert Ferguson  
Title: RPS, Fresno County#S200316

**PROOF OF SERVICE**

Theresa's Messenger Service  
PO Box 190543  
San Francisco, CA 94119-0000  
(415) 760-2188 Ref. No. 00114484-02  
Attorney For: PLAINTIFFS

Plaintiff: GIL CROSHWAITE, et al  
Defendant: DUN ENGINEERING, et al

Case No.: C074995  
Proof of Service of Summons

Hearing Date:

Time:

Dept/Div:

DECLARATION REGARDING DILIGENCE

Action Legal Support received the within named process on 10/01/07 and after diligent effort we have not been able to effect personal service on the within named party at the following addressess:

Servee: MARK THOMAS JONES  
an individual

Business: 4721 W. JENNIFER #7  
FRESNO, CA 93722

10/01/07 03:10 pm NOT IN AT TIME OF ATTEMPT PER EMPLOYEE  
10/02/07 10:30 am NOT IN AT TIME OF ATTEMPT PER EMPLOYEE  
10/03/07 01:00 pm SUBSTITUTED SERVICE ON INDIVIDUAL

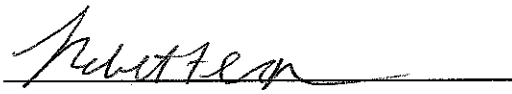
7. Person who served papers

- a. Robert Ferguson  
ACTION LEGAL SUPPORT
- b. 5528 North Palm Suite 123  
Fresno, CA 93704
- c. (559) 432-3337

- d. The fee for service was: \$ 35.00
- e. I am  
(3). Registered California process server
  - (i) independent contractor
  - (ii) Registration No. S200316 EXP: 05/11/2009
  - (iii) County: Fresno

8. I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date: 10/09/07

Signature: 

Jud. Coun. Form, rule 2.150  
Judicial Council of California POS-010  
[Rev. January 1, 2007]

408-00114484-02